PETITION FOR SPECIAL HEARING 84-119-SPH TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Loning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve non-conforming usage of the subject property for sales as a second hand thrift slop & garage for general Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): Contract Purchaser: Michael Rife (Type or Print Name) (Type or Print Name) City and State Attorney for Petitioner: 118 Baltimore Aven e or Print Name) ne, address and phone number of legal owner, con publisher or representative to be contacted 410 Court Sq. Bldg., Balto., MD 21202 ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_day August \_\_\_\_, 19\_83\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_November \_\_\_\_, 19\_83 , at 11:15 o'clock Z.C.O.-No. 1

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER NE Comer of Saltimore Ave. & Willow Spring Rd., 12th District OF BALTIMORE COUNTY MICHAEL RIFE, Petitioner : Case No. 84-119-SPH \*\*\*\*\*\* ORDER TO ENTER APPEARANCE Mr. Commissioner: ZONING PLANS Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any prelina ary or final Order in connection therewith. Reter May 7. Peter Max Zimmerman John W. Hessian, III Deputy People's Counsel People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188 1 HEREBY CERTIFY that on this 10th day of October, 1983, a copy of the foregoing Order was mailed to Leonard J. Levine, Esquire, 410 Court Square Building, Baltimore, MD 21202, Attorney for Petitioner. EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE BALTIMORE COUNTY October 25, 1983 Leonard J. Levine, Esquire COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204 410 Court Square Building Baltimore, Maryland 21202 RE: Item No. 48 - Case No. 84-119-SPH Nicholas B. Commodari Petitioner - Michael Rife Special Hearing Petition Chairman Dear Mr. Levine: ADVISORY COMMITTEE The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning. Health Department Project Planning In view of your proposal to prove that part of the existing garage enjoys a legal nonconforming use for sales, this hearing is required. Building Department Board of Education Zoning Administration This property was the subject of a previous zoning hearing (Case No. 83-39-A) and is also the subject of an active zoning complaint (C-83-568), which precipitated this Industrial Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. PETITION AND SITE PLAN hearing scheduled accordingly. Very truly yours, Michto Blommoden NICHOLAS B. COMMODARI Chairman Zoning Plans Advisory Committee NBC:nr Enclosures

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

September 16, 1983

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Item 48 (1983-1984) Property Owner: Michael Rife N/E cor. Baltimore Ave. and Willow Spring Rd. Acres: 26.87 X 125 District: 12th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject

General:

The comments supplied in connection with the Zoning Advisory Committee review of this property for Item 247 (1981-1982) are referred to for your consideration. This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 48 (1983-1984).

RAM: EAM: FWR:ss

F-SE Key Sheet 15 SE 17 Pos. Sheet

SE 4 E Topo 103 Tax Map Attachment

June 16, 1982

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #247 (1981-1982) Property Owner: Michael J. Rife N/E corner Baltimore Avenue and Willow Spring Road Acres: 26.87 x 125 District: 12th

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

Baltimore County highway and utility improvements exist and are not directly

Willow Spring Road and Baltimore Avenue, existing public roads, are proposed to be improved in the future as 40 and 30-foot closed section roadways on 70 and 40-foot rights-of-way, respectively, with fillet areas for sight distance at their intersection.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 247 (1981-1982).

> Very truly yours, (SIGNED) ROBERTA MORTON ROBERT A. HORTON, P.E., Chief Bureau of Public Services

> > 11.0

SE 4.E Topo 103 Tax Map

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550 STEPHEN E. COLLINS DIRECTOR

September 1, 1983

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for item numbers 43, 44, 45, 46, 47, 48.

Traffic Engineer Assoc. II

MSF/ccm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Armold Jablon, Zoning Commissioner
TO...Office of Planning and Zoning

Date September 20, 1983 FROM Ian J. Forrest

SURJECT Zoning Variance Items

The Baltimore County Department of Health has reviewed

the following zoning items and does not anticipate any health hazards at this time regarding these items.

Item # 14 - George Mehring

Item # 45 - Edward I. & Sharon Klawensky Item # (48) - Michael Rife

Ian J. Forrest, Director

BUREAU OF ENVIRONMENTAL SERVICES

LJF/fth

ZONIIIG: LOCATION: DATE & TIME: PUBLIC HEARING:

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of fa. ... that:

> PETITION FOR SPECIAL HEARING 12th Election District

Petition for Special Hearing

Northeast corner of Baltimore Avenue and Willow Spring Road

Wednesday, November 2, 1983 at 11:15 A.M.

Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Hearing under Section 500.7 of the Baltimo re

County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve nonconforming usage of the subject property for sales as a second hand thrift shop and garage for general residential storage

All that parcel of land in the Twelth District of Baltimore County

Being the property of Michael Rife, as shown on plat plan filed with the Zoning

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204 September 21, 1983

Office of Planning and Zoning

Rife Baltimore Avenue and Willow Spring Road D.R. 10.5 Special Hearing to approve a non-conforming use for sales of second hand thrift shop & garage for general residential

X A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill 1-82 State Or Management Code Known Casada Company Code Casada Code Casada Casad

C. Residential: Three sets of construction drawings are required to file a permit

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engine r shall be required to file a permit application.

fire resistive construction, no openings permitted within 3'-0 of lot lines. A firewall is required if construction is on the lot line, See Table 401, line 2, Section 1407 and Table 1402. F. Requested variance conflicts with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments: Handicapped parking shall be properly posted. Show curb cuts, etc. Three story structures require handicapped access to all floors. This will probably require an elevator for the handicapped.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeaks ave., 21204

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: August 15, 1983

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: August 16, 1983

RE: Item No: 43, 44, 45, 46, 47, 2 48 Property Owner: Location: Present Zoning: Proposed Zoning:

Hadress

Tatuera Arhoffer 2806 W Woderder Release

Lary Barnet 25 14 Stryler Karry Barnet 29 34 Are.

Sally Happer Hallers Banky Jan Lizemor

District: No. Acres:

Dear Mr. Hammond:

The above referenced item numbers have no bearing on student population.

420f Residence

no

NO

Wm. Nick Petrovich, Assistan Department of Planning

> yes yes.

The BELOW RESIDENTS of ST. HELENA + DUNCHUK HER HAVE WITNESSED 315 WILLOW SPRING HAVING Should, STORES OR RETAIL BUSINGS AND ARE IN FAVOR OF USC Being Albured TO REDAY.

Reserve Company

Beginning at a point on the northeast corner of Baltimore Avenue and

Willow Spring Road and known as lot 25, Block 2 of Saint Helena and recorded

among the land records of Baltimore County in Plat 5 Folio 38. Also known

as 118 Baltimore Avenue.

425 of Kas object & of Shop Costonie Clyde Wolchoop Sold Yar Beough 33 DUNCALK AUG Jenna Riffy 215 St Kilera Jegy Swant 1 233 Batto, Sur Michael Suprik 11 Liberty Pray WAYNE POLE 1946 SEARLES RU MARTHA SHEPPAND 239 ST. HELENA AVE DEPEND SHEPPARD 239 ST. HELENA AVE Charlese Ray 7813 Month Rd Johns Vena
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Bernie Patterson 2505 ON MUORRA 15 Howard V. Can Judith Hamilton 650 9 Battemes de Jusigh a Gensigh Booken gut May July No

PETITIONER'S

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BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 TELEPHONE 727-3438 & 727-8505 ALLEN L. FOX. P. A. Dundack HARDWARE - DICK MARGET Bell's - 285-7269- Bells FOB

MARGET Bell's - 285-7269- Bells FOB

Clycle Miller- 84 Dunclack Aug 288-5601

The Kent's - Shirly Marche 284-0479

Lea wormer Durche Historian Familian 2848845 ATTORNEY AT LAW ARNOLD JABLON ZONING COMMISSIONER 410 Coart Square Bailding, 200 & Lexington Street Baltimore, Ald. 21202 November 9, 1983 300 E. LEXINGTON STREET BALTIMORE, MARYLANG 21202 OFFICE PHONE: 727-5508 HOME PHONE: 644-8054 Yine Lauett 6510 Beto are. Barbara Grannas 7418 St. Patricia Ct. August 3, 1983 Brenda Willoughby 104 wells are. Leonard J. Levine, Esquire July 29, 1983 410 Court Square Building Mr. Nick Comidari Baltimore, Maryland 21202 Baltimore County Zoning Office Kum 803 Homberg au 111 West Chesapeake Avenue IN RE: Petition Special Hearing William Hammond, Zoning Commissioner Baltimore County Zoning Board Esther Buller 1/3 Willams Ove Towson, Maryland 21204 NE/corner of Baltimore Avenue and Willow Spring Road - 12th Election Joseph Shepherd II Willow Spring Kd 21222 111 West Chesapeake Avenue Re: 315 Willow Spring Road My client: Michael Rife District Towson, Maryland 21204 Michael Rife, Petitioner Case No. 84-119-SPH Re: 315 Willow Spring Road My Client: Michael Rife Dear Nick: Dear Mr. Levine: Enclosed please find two more copies of the Petition for Special Hearing. I have this date passed my Order in the above-referenced matter in accordance Dear Mr. Hammon: with the attached. Thank you for your patience and cooperation in this Enclosed please find a check in the amount of \$100.00. Also enclosed please find copies of the Petition for Special Hearing, copy of Deed, and copy of Plat. Sincerely, If there is anything missing, please do not hesitate to contact me. Zoning Commissioner See Wish AJ/srl Leonard J. Levine Attachments cc: John W. Hessian, III, Esquire LEONARD J. LEVINE LJL/dlg People's Counsel enclosure LJL/dlg enclosure ☐ Entd ☐ Chkd ZONING DEPARTMENT October 1983 BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 BALTIMORE COUNTY, MARYLAND Leonard J. Levine, Esquire INTER-OFFICE CORRESPONDENCE 410 Court Square Building Baltimore, Maryland 21202 IN RE: PETITION SPECIAL HEARING NE/corner of Baltimore Avenue ARNOLD JABLON ZONING COMMISSIONER ZONING COMMISSIONER and Willow Spring Road - 12th \* Arnold Jablon NOTICE OF HEARING TO Zoning Commissioner Election District October 17, 1983 OF BALTIMORE COUNTY Re: Petition for Special Hearing NE/corner Baltimore Avenue and Michael Rife, Norman E. Gerber, Director October 19, 1983 Case No. 84-119-SPH FT.OM Office of Planning and Zoning Willow Spring Road Michael Rife - Petitioner Michael Rife Case No. 84-119-SPH Leonard J. Levine, Esquire 84-119-SpH SUBJECT\_\_\_ . . . . . . . . . . . 410 Court Square Building Baltimore, Maryland 21202 TIME: \_11:15 A.M. FINDINGS OF FACT AND CONCLUSIONS OF LAW Re: Petition for Special Hearing
NE/corner Baltimore Avenue and DATE: Wednesday, November 2, 1983 The Petitioner herein, Michael Rife. requests a determination that the use of In view of the questions to be resolved by this hearing, this Willow Spring Road office has no comment. PLACE: Room 106, County Office Building, 111 West Chesapeake the subject property as a second-hand thrift shop and garage for general residen-Michael Rife - Petitioner Case No. 84-119-SPH tial storage is nonconforming. Avenue, Towson, Maryland Dear Mr. Levine: The Petitioner and his wife, represented by Counsel, appeared and testified. Norman E Gerber per Hoswell Witnesses appeared on their behalf. No Protestants appeared. This is to advise you that \$67.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued. Testimony was presented that the property is located within a D.R.10.5 Zone. Director of Planning and Zoning Please make the check payable to Baltimore County, Maryland, and Mr. Rife purchased the property in 1976 or 1977 from his parents who purchased the NEG:JGH:cav remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing. property in 1962. At the time the property was purchased, Mr. and Mrs. Rife intended to renovate the building which is the subject of this hearing and which is more fully described on Petitioner's Exhibit 1; however, the building was too deteriorated. Since it was not cost effective to renovate, they decided to raze the old building and to build a new building. From the first, Mr. and Mrs. Rife intended ig Commissioner BALTIMORE COUNTY, MARYLAND No. 122965 No. 119442 OFFICE OF FINANCE - REVENUE DIVISION Take use of the building as a store and opened a thrift shop in 1978. Their BALTIMORE COUNTY, MARYLAND MISCELLANEOUS CASH RECEIPT OFFICE OF FINANCE - REVENUE DIVISION mony was clear and uncontradicted, in fact supported, that the building had 11/2/83 R-01-615-000 continuously used since the 1920's as small individually operated stores. Ciceri, a long-time resident of the neighborhood, testified that there has s and continuously been small businesses located in the building. He was FROM: Deborah Rife seconded by the other witnesses who appeared. Mr. Ciceri also stated that in his FOR Advertising & Posting Case #84-119-SPH opision the allowance for the thrift shop to continue would not harm or adversely effect the neighborhood in any way. Mr. Rife presented a petition signed by numer-6 D71+++++67751b E038A A3804 0:00301++++100 ous residents attesting to his opinion. See Petitioner's Exhibit 4.

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